

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

TEXTRON INNOVATIONS INC.,)	
)	
Plaintiff,)	
)	
v.)	C. A. No. 05-486 (GMS)
)	
)	JURY TRIAL DEMANDED
)	
THE TORO COMPANY,)	
)	
Defendant.)	

NOTICE OF VIDEOTAPED DEPOSITION OF TIM KOCH

To: The Toro Company and its attorneys:

Anthony R. Zeuli, Esquire
MERCHANT & GOULD P.C.
3200 IDS Center
80 South 8th Street
Minneapolis, MN 55402

Richard L. Horwitz, Esquire
POTTER ANDERSON & CORROON LLP
Hercules Plaza, 6th Floor
1313 N. Market Street
Wilmington, Delaware 19899-0951

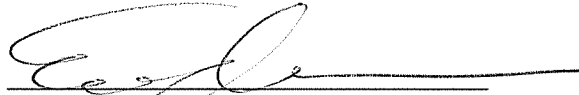
PLEASE TAKE NOTICE that Plaintiff, Textron Innovations Inc., will take the deposition by oral examination of Tim Koch commencing on **October 18, 2006**, beginning at **1:00 p.m.** at the offices of Frederikson & Bryon, P.A., 200 South Sixth Street, Suite 4000, Minneapolis, Minnesota or at some other place mutually agreed upon by counsel.

Said deposition will be taken by stenographic and videographic means before a notary public and will continued from day to day as necessary until completed.

This Notice serves as formal notice of the deposition informally noticed on October 5, 2006.

Dated: October 6, 2006

THE BAYARD FIRM

A handwritten signature in black ink, appearing to read 'Edmond D. Johnson', is written over a horizontal line.

Edmond D. Johnson (#2257)

Peter B. Ladig (#3513)

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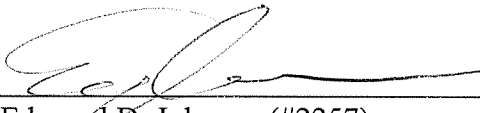
CERTIFICATE OF SERVICE

I, Edmond D. Johnson, hereby certify that on the 6th day of October, 2006, I electronically filed the foregoing ***NOTICE OF VIDEOTAPED DEPOSITION OF TIM KOCH*** with the Clerk of the Court using CM/ECF, which will send automatic notification of the filing to the following:

Richard L. Horwitz, Esquire
POTTER ANDERSON & CORROON LLP
Hercules Plaza, 6th Floor
1313 N. Market Street
Wilmington, Delaware 19899-0951

Via facsimile and first class mail upon:

Anthony R. Zeuli, Esquire
MERCHANT & GOULD P.C.
3200 IDS Center
80 South 8th Street
Minneapolis, MN 55402


Edmond D. Johnson (#2257)